



U.S. Department of Justice

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FILED VIA ECF

The Honorable Richard D. Bennett
United States District Judge
Chambers 5D
101 W. Lombard Street
Greenbelt, MD 20770

Re: United States v. Bruce Dwayne Winston et al.
Criminal No. RDB-13-0639

Dear Judge Bennett:

We write in advance of Monday's hearing to provide the Court with a list of pending motions and to identify the witnesses whom the government intends to call.

The pending motions include the following:

- a motion by Winston to suppress tangible and derivative evidence—ECF No. 38—to which the government has responded in ECF No. 54.
- a motion by Payne for severance—ECF No. 40—to which the government has responded in ECF No. 54. Payne has raised additional arguments relating to this motion in ECF No. 105.
- a motion by Payne for notice of 404(b) evidence—ECF No. 41—to which the government has responded in ECF Nos. 54 and 67.
- a motion by Payne to suppress evidence and statements—ECF No. 44—to which the government has responded in ECF No. 54. Payne filed a supplement to this motion today—ECF No. 129—and the government responded in ECF No. 130.
- a motion by the government to admit extrinsic evidence pursuant to Rule 404(b) and intrinsic evidence of uncharged conduct—ECF No. 67—to which Winston has responded in ECF No. 83. The government has replied in ECF No. 99, and Payne has “responded” to the government’s reply in ECF No. 105.
- a motion by Winston to suppress evidence taken from his cellular telephone, including historical cell site data—ECF No. 72. Payne has filed a supplement to

- a motion by Winston to suppress statements—ECF No. 95—to which the government has responded in ECF No. 112.

We look forward to seeing the Court and opposing counsel on Monday.

Rod J. Rosenstein
United States Attorney

cc: Teresa Whalen, Esq., Counsel for Joe Howard Payne
Joseph L. Evans and Scott Carter-Eldred, Esq., Counsel for Bruce Dwayne Winston